

**EIGHTY-FOURTH GENERAL ASSEMBLY  
2011 REGULAR SESSION  
DAILY  
HOUSE CLIP SHEET**

MARCH 18, 2011

**HOUSE FILE 590**

**H-1377**

- 1 Amend House File 590 as follows:  
2 1. Page 1, line 2, by striking <IOWA PARTNERSHIP  
3 FOR ECONOMIC PROGRESS AND>  
4 2. Page 1, by striking lines 14 through 16 and  
5 inserting:  
6 <2. The collaboration shall involve the economic  
7 development authority and the economic development  
8 corporation which shall work>  
9 3. Page 1, by striking lines 32 and 33.  
10 4. By striking page 2, line 10, through page 4,  
11 line 9.  
12 5. Page 10, by striking lines 30 through 32.  
13 6. Page 19, by striking lines 5 through 7.  
14 7. By renumbering as necessary.

**By** THOMAS of Clayton

**H-1377** FILED MARCH 17, 2011

HOUSE FILE 590

H-1378

1 Amend House File 590 as follows:

2 1. By striking page 4, line 18, through page 5,  
3 line 35, and inserting:

4 <a. The powers of the authority are vested in and  
5 shall be exercised by a board consisting of fifteen  
6 voting members appointed by the governor and seven ex  
7 officio, nonvoting members.

8 b. (1) The ex officio, nonvoting members are four  
9 legislative members; one president, or the president's  
10 designee, of the university of northern Iowa, the  
11 university of Iowa, or Iowa state university of  
12 science and technology designated by the state board  
13 of regents on a rotating basis; and one president,  
14 or the president's designee, of a private college  
15 or university appointed by the Iowa association  
16 of independent colleges and universities; and one  
17 president, or the president's designee, of a community  
18 college, appointed by the Iowa association of community  
19 college presidents.

20 (2) The legislative members are two state senators,  
21 one appointed by the president of the senate after  
22 consultation with the majority leader of the senate  
23 and one appointed by the minority leader of the  
24 senate from their respective parties; and two state  
25 representatives, one appointed by the speaker and  
26 one appointed by the minority leader of the house of  
27 representatives from their respective parties.

28 c. Not more than eight of the voting members shall  
29 be from the same political party. At least one voting  
30 member shall have been less than thirty years of age  
31 at the time of appointment.

32 d. The governor shall appoint the voting members of  
33 the board to staggered terms of four years beginning  
34 and ending as provided by section 69.19, subject  
35 to confirmation by the senate, and the governor's  
36 appointments shall include persons knowledgeable of the  
37 various elements of the department's responsibilities.

38 e. Each of the following areas of expertise shall  
39 be represented by at least one voting member of the  
40 board who has professional experience in that area of  
41 expertise:

- 42 (1) Finance, insurance, or investment banking.
- 43 (2) Advanced manufacturing.
- 44 (3) Statewide agriculture.
- 45 (4) Life sciences.
- 46 (5) Small business development.
- 47 (6) Information technology.
- 48 (7) Economics or alternative and renewable energy
- 49 including the alternative and renewable energy sectors
- 50 listed in section 476.42, subsection 1, paragraph "a".

H-1378

1 (8) Labor.

2 (9) Marketing.

3 (10) Entrepreneurship.

4 f. At least nine of the voting members of the board  
5 shall be actively employed in the private, for-profit  
6 sector of the economy.

7 2. A vacancy on the authority board shall be filled  
8 in the same manner as regular appointments are made for  
9 the unexpired portion of the regular term.

10 3. a. The authority board shall meet in May of  
11 each year for the purpose of electing one of its voting  
12 members as chairperson and one of its voting members  
13 as vice chairperson. However, the chairperson and the  
14 vice chairperson shall not be from the same political  
15 party.

16 b. The authority board shall meet at the call of  
17 the chairperson or when any eight voting members of the  
18 board file a written request with the chairperson for a  
19 meeting. Written notice of the time and place of each  
20 meeting shall be given to each member of the authority  
21 board.

22 c. A majority of the voting members constitutes a  
23 quorum.

24 4. Members of the authority board, the director,  
25 and other employees of the authority shall be allowed  
26 their actual and necessary expenses incurred in the  
27 performance of their duties. All expenses shall be  
28 paid from appropriations for those purposes and the  
29 department is subject to the budget requirements of  
30 chapter 8. Each member of the authority board may  
31 also be eligible to receive compensation as provided  
32 in section 7E.6.

33 5. If a member of the authority board has an  
34 interest, either direct or indirect, in a contract  
35 to which the authority is or is to be a party, the  
36 interest shall be disclosed to the board in writing and  
37 shall be set forth in the minutes of a meeting of the  
38 authority board. The member having the interest shall  
39 not participate in action by the authority board with  
40 respect to the contract.

41 6. As part of the organizational structure of the  
42 authority, the authority board shall establish a due  
43 diligence committee and a loan and credit guarantee  
44 committee composed of members of the board. The  
45 committees shall serve in an advisory capacity to  
46 the authority board and shall carry out any duties  
47 assigned by the authority board in relation to programs  
48 administered by the authority. The loan and credit  
49 guarantee committee shall advise the authority board on  
50 the winding up of loan guarantees made under the loan

**H-1378**

Page 3

1 and credit guarantee program established pursuant to  
2 section 15E.224, Code 2009, and on the proper amount of  
3 the allocation described in section 15G.111, subsection  
4 4, paragraph "g".>

5 2. Page 24, after line 10 by inserting:

6 <Sec. \_\_\_\_\_. REPEAL. Section 15.103, Code 2011, is  
7 repealed.>

8 3. By renumbering as necessary.

**By** H. MILLER of Webster

**H-1378** FILED MARCH 17, 2011

**HOUSE FILE 590**

**H-1379**

1 Amend House File 590 as follows:

2 1. Page 19, before line 18 by inserting:

3 <e. That the corporation annually completes and  
4 files an information return as described in section  
5 422.15 and that the information return is submitted to  
6 the general assembly.>

7 2. By renumbering as necessary.

**By** HEDDENS of Story

**H-1379** FILED MARCH 17, 2011

HOUSE FILE 590

H-1380

1 Amend House File 590 as follows:

2 1. Page 35, line 17, by striking <260E.7,>

3 2. Page 36, before line 25 by inserting:

4 <DIVISION \_\_\_\_\_

5 INDUSTRIAL NEW JOBS TRAINING

6 Section 1. Section 260E.7, Code 2011, is amended to  
7 read as follows:

8 260E.7 ~~Department of economic development~~ Program  
9 review by economic development authority.

10 1. ~~The Iowa department of economic development~~  
11 authority, in consultation with the department  
12 of education, the department of revenue, and the  
13 department of workforce development, shall coordinate  
14 and review the new jobs training program. The Iowa  
15 department of economic development authority shall  
16 adopt, amend, and repeal rules under chapter 17A that  
17 the community college will use in developing projects  
18 with new and expanding industrial new jobs training  
19 proposals and that the economic development authority  
20 shall use to review and report on the new jobs training  
21 program as required in this section.

22 2. a. The authority, in consultation with the  
23 community colleges participating in the new jobs  
24 training program pursuant to this chapter, shall  
25 identify the information necessary to effectively  
26 coordinate and review the program, and the community  
27 colleges shall provide such information to the  
28 authority. Using the information provided, the  
29 authority, in consultation with the community colleges,  
30 shall issue a report on the effectiveness of the  
31 program.

32 b. In coordinating and reviewing the program,  
33 due regard shall be given to the confidentiality of  
34 certain information provided by the community colleges,  
35 and the authority shall comply with the provisions of  
36 section 15.118 to the extent that such provisions are  
37 applicable to the new jobs training program.

38 3. ~~The department~~ authority is authorized  
39 to make any rule that is adopted, amended, or  
40 repealed effective immediately upon filing with the  
41 administrative rules coordinator or at a subsequent  
42 stated date prior to indexing and publication, or at a  
43 stated date less than thirty-five days after filing,  
44 indexing, and publication.>

45 3. By renumbering as necessary.

**By** LUKAN of Dubuque

H-1380 FILED MARCH 17, 2011

**HOUSE FILE 590**

**H-1381**

1 Amend House File 590 as follows:  
2 1. Page 17, before line 9 by inserting:  
3 <Sec. \_\_\_\_\_. NEW SECTION. 15.106E Review and  
4 suspension of operations.  
5 1. On June 30, 2015, the authority shall cease  
6 all operations related to program administration,  
7 contracting, bond issuance, and all other activities  
8 contemplated by the powers and duties of the authority  
9 as described in this chapter and other chapters of the  
10 Code.  
11 2. Commencing July 1, 2014, through the suspension  
12 of operations pursuant to subsection 1, the general  
13 assembly shall conduct a review of the authority and  
14 its activities.  
15 3. In conducting its operations, the authority  
16 shall not enter into a contract that contains a term of  
17 performance extending beyond June 30, 2020.>

**By** RUNNING-MARQUARDT of Linn

**H-1381** FILED MARCH 17, 2011

**HOUSE FILE 590**

**H-1382**

1 Amend House File 590 as follows:  
2 1. Page 10, before line 24 by inserting:  
3 <5. The authority may only accept moneys or other  
4 financial assistance from the corporation for the  
5 following purposes:  
6 a. To facilitate travel by employees of the  
7 authority.  
8 b. To further the department's presence at trade  
9 shows and other industry events that further economic  
10 development in the state.>

**By** RUNNING-MARQUARDT of Linn

**H-1382** FILED MARCH 17, 2011

HOUSE FILE 590

H-1384

1 Amend House File 590 as follows:

2 1. Page 25, by striking lines 24 through 31 and  
3 inserting:

4 <2. The mission of the commission is to advise  
5 and assist in the development and implementation of a  
6 comprehensive, statewide plan for promoting volunteer  
7 involvement and citizen participation in Iowa, as well  
8 as to serve as the state's liaison to national and  
9 state organizations which support the commission's  
10 mission. The commission shall also carry out any  
11 duties and responsibilities described in the National  
12 Community Service Trust Act of 1993 or any related  
13 state or federal legislation.>

14 2. Page 31, before line 18 by inserting:

15 <Sec. \_\_\_\_\_. Section 15E.120, Code 2011, is amended  
16 by adding the following new subsection:

17 NEW SUBSECTION. 6. On the effective date of this  
18 Act, the economic development authority shall assume  
19 responsibility for the administration of this section.>

20 3. Page 31, by striking lines 18 through 21.

21 4. Page 31, line 26, before <means> by inserting  
22 <or "authority">

23 5. Page 32, before line 18 by inserting:

24 <Sec. \_\_\_\_\_. Section 15E.208, subsection 3, paragraph  
25 b, subparagraph (2), subparagraph division (d), Code  
26 2011, is amended to read as follows:

27 (d) Notwithstanding any provision of this division  
28 to the contrary, the corporation shall repay the  
29 department of economic development, or its successor  
30 entity, the principal balance of the Iowa agricultural  
31 industry finance loan beginning on October 1, 2007.  
32 The principal balance of the loan equals twenty-one  
33 million five hundred seventeen thousand two hundred  
34 thirty-nine dollars. The corporation shall repay the  
35 department of economic development, or its successor  
36 entity, five hundred seventeen thousand two hundred  
37 thirty-nine dollars by October 1, 2007, and for  
38 each subsequent year the corporation shall repay the  
39 department, or its successor entity, at least one  
40 million dollars by October 1 until the total principal  
41 balance of the loan is repaid. This subparagraph  
42 ~~division~~ shall not be construed to limit the  
43 ~~department's~~ authority of the department of economic  
44 development, or its successor entity, to negotiate the  
45 payment of interest accruing on the principal balance  
46 which shall be paid to the department as provided by  
47 an agreement executed by the department of economic  
48 development and the corporation.>

49 6. Page 34, before line 25 by inserting:

50 <Sec. \_\_\_\_\_. Section 403.19A, subsection 2, Code

H-1384

1 2011, is amended to read as follows:

2 2. a. An eligible city may apply ~~to the department~~  
3 ~~of economic development to be designated for~~  
4 designation as a pilot project city pursuant to this  
5 subsection. An eligible city is a city that contains  
6 three or more census tracts and is located in a county  
7 meeting one of the following requirements:

8 (1) A county that borders Nebraska.

9 (2) A county that borders South Dakota.

10 (3) A county that borders a state other than  
11 Nebraska or South Dakota.

12 b. (1) The department of economic development  
13 shall approve four eligible cities as pilot project  
14 cities, one pursuant to paragraph "a", subparagraph  
15 (1), one pursuant to paragraph "a", subparagraph (2),  
16 and two pursuant to paragraph "a", subparagraph (3).  
17 If two eligible cities are approved which are located  
18 in the same county and the county has a population  
19 of less than forty-five thousand, the two approved  
20 eligible cities shall be considered one pilot project  
21 city. If more than two cities meeting the requirements  
22 of paragraph "a", subparagraph (3), apply to be  
23 designated as a pilot project city, the department of  
24 economic development shall determine which two cities  
25 hold the most potential to create new jobs or generate  
26 the greatest capital within their areas. Applications  
27 from eligible cities filed on or after October 1, 2006,  
28 shall not be considered.

29 (2) If a pilot project city does not enter into a  
30 withholding agreement within one year of its approval  
31 as a pilot project city, the city shall lose its  
32 status as a pilot project city. If two pilot project  
33 cities are located in the same county, the loss of  
34 status by one pilot project city shall not cause the  
35 second pilot project city in the county to lose its  
36 status as a pilot project city. Upon such occurrence,  
37 the department of economic development shall take  
38 applications from other eligible cities to replace that  
39 city. Another city shall be designated within six  
40 months.

41 (3) On the effective date of this Act, the economic  
42 development authority shall assume responsibility for  
43 the administration of this subsection.

44 7. Page 34, line 33, before <15.294> by inserting  
45 <15.293A,>

46 8. Page 34, line 33, by striking <15E.202,>

47 9. Page 34, line 33, by striking <15E.208,>

48 10. Page 34, line 34, by striking <260G.6,>

49 11. Page 35, line 8, after <15.109> by inserting  
50 <15.115, 15.117A, 15.247, 15.273,>



**H-1384**

Page 3

- 1 12. Page 35, line 9, after <15.294,> by inserting
- 2 <15.295, 15.313,>
- 3 13. Page 35, line 9, after <15.333,> by inserting
- 4 <15.335A,>
- 5 14. Page 35, line 10, by striking <15E.120,>
- 6 15. Page 35, line 12, after <15F.102,> by inserting
- 7 <15G.101,>
- 8 16. Page 35, line 19, by striking <262B.23,>
- 9 17. Page 35, line 22, by striking <465B.2,>
- 10 18. Page 35, line 35, by striking <15G.101,>
- 11 19. Page 35, line 35, by striking <15G.112,>
- 12 20. By renumbering, redesignating, and correcting
- 13 internal references as necessary.

**By** LUKAN of Dubuque

**H-1384** FILED MARCH 17, 2011

**HOUSE FILE 590**

**H-1386**

- 1 Amend House File 590 as follows:
- 2 1. Page 4, before line 10 by inserting:
- 3 <4. To set annual numerical goals for the authority
- 4 pertaining to the creation of jobs in the state. If
- 5 such goals are not met an explanation of the reasons
- 6 shall be provided to the general assembly.>
- 7 2. By renumbering as necessary.

**By** THOMAS of Clayton

**H-1386** FILED MARCH 17, 2011

HOUSE FILE 590

H-1387

1 Amend House File 590 as follows:

2 1. By striking page 8, line 35, through page 9,  
3 line 3, and inserting:

4 <j. Invest or deposit moneys of the authority  
5 that derive from or are subject to an agreement  
6 with bondholders or noteholders. Such moneys shall  
7 be invested or deposited in a manner determined  
8 by the authority, notwithstanding chapter 12B or  
9 12C. However, the investment or deposit of moneys  
10 by the authority shall be subject to the terms and  
11 requirements of the agreement with the bondholders or  
12 noteholders.>

13 2. Page 11, before line 28 by inserting:

14 <(4) Notwithstanding section 8A.311 and any  
15 rules promulgated thereunder by the department of  
16 administrative services, the authority may enter into  
17 contracts with the corporation for the sole source  
18 procurement of services. In entering into such sole  
19 source contracts, the authority shall negotiate a  
20 fair and reasonable price for the services and shall  
21 thoroughly document the circumstances of such sole  
22 source procurements.>

23 3. Page 12, line 7, after <office.> by inserting  
24 <The director shall ensure that the authority is  
25 operated free from political influence.>

26 4. Page 19, by striking lines 18 through 20.

27 5. Page 21, line 34, after <15.107A> by inserting  
28 <or when engaged in activities that utilize public  
29 funding>

30 6. Page 22, line 11, after <corporation> by  
31 inserting <performed by a certified public accountant>

32 7. Page 22, line 12, after <state> by inserting  
33 <and made available to the public>

34 8. Page 22, line 15, after <functions> by inserting  
35 <or activities that utilize public funding>

36 9. Page 22, line 20, after <functions> by inserting  
37 <or activities that utilize public funding>

38 10. Page 22, before line 21 by inserting:

39 <5. Notwithstanding other provisions of this  
40 section to the contrary, if the corporation receives  
41 confidential information from the authority under the  
42 process described in section 15.118, the corporation  
43 shall comply with the provisions of section 15.118 in  
44 the same manner as the authority.>

45 11. By renumbering, redesignating, and correcting  
46 internal references as necessary.

**By** LUKAN of Dubuque

H-1387 FILED MARCH 17, 2011

**HOUSE FILE 534**

**H-1388**

1 Amend House File 534 as follows:  
2 1. Page 1, line 34, after <279.10,> by inserting  
3 <subsection 1,>  
4 2. Page 2, by striking lines 1 and 2.  
5 3. Page 2, line 3, by striking <1-> and inserting  
6 <1.>  
7 4. Page 2, by striking lines 5 through 10 and  
8 inserting <each regularly established elementary and  
9 secondary school shall begin no sooner than a day  
10 during the calendar week in which the first day of  
11 September falls but no later than the first Monday  
12 in December. However, if the first day of September  
13 falls on a Sunday, school may begin on a day during the  
14 calendar week which immediately precedes the first day  
15 of>  
16 5. Page 2, line 11, by striking <September-> and  
17 inserting <September.>  
18 6. Page 2, by striking line 13 and inserting  
19 <maintained The school calendar shall>  
20 7. By striking page 2, line 31, through page 3,  
21 line 30, and inserting <purposes before the date to  
22 begin elementary and secondary school.  
23 Sec. \_\_\_\_\_. Section 279.10, subsections 2 and 3, Code  
24 2011, are amended by striking the subsections.>  
25 8. Page 4, by striking lines 22 and 23.  
26 9. Page 4, line 24, by striking <257.17> and  
27 inserting <256.22>  
28 10. By renumbering as necessary.

By J. TAYLOR of Woodbury

**H-1388** FILED MARCH 17, 2011

**HOUSE FILE 549**

**H-1385**

1 Amend House File 549 as follows:  
2 1. Page 2, line 35, by striking <fifty> and  
3 inserting <sixty-five>  
4 2. By renumbering as necessary.

By ROGERS of Black Hawk

**H-1385** FILED MARCH 17, 2011

**HOUSE FILE 607**

**H-1376**

1 Amend House File 607 as follows:  
2 1. Page 1, line 16, by striking <a child>  
3 2. Page 1, after line 29 by inserting:  
4 <d. A person convicted of murder in the second  
5 degree in violation of section 707.3 and who was also  
6 convicted of either kidnapping in the first degree  
7 in violation of section 710.2 or sexual abuse in the  
8 first degree in violation of section 709.2, which  
9 conviction arose out of the same set of facts as the  
10 murder-in-the-second-degree conviction, shall not be  
11 eligible for parole pursuant to this subsection.>

By GARRETT of Warren

**H-1376** FILED MARCH 17, 2011

**SENATE FILE 402**

**H-1383**

1 Amend Senate File 402, as amended, passed, and  
2 reprinted by the Senate, as follows:  
3 1. Page 1, line 3, after <d.> by inserting <(1)>  
4 2. Page 1, after line 8 by inserting:  
5 <(2) Grants for veterans suffering subsequent,  
6 unrelated injuries after September 11, 2001, but  
7 prior to the effective date of this Act, shall be  
8 payable, upon a showing that the veteran would have  
9 been eligible for payment had the subsequent, unrelated  
10 injury occurred on or after the effective date of this  
11 Act.  
12 Sec. \_\_\_\_\_. Section 35A.14, Code 2011, is amended by  
13 adding the following new subsection:  
14 NEW SUBSECTION. 6. The department may appear  
15 before the executive council and request funds to meet  
16 the funding needs of the grant program under this  
17 section if funds are made available to the executive  
18 council for this purpose.>  
19 3. Page 1, after line 8 by inserting:  
20 <Sec. \_\_\_\_\_. EFFECTIVE UPON ENACTMENT AND RETROACTIVE  
21 APPLICABILITY. This Act, being deemed of immediate  
22 importance, takes effect upon enactment and applies  
23 retroactively to September 11, 2001, for veterans  
24 suffering a subsequent, unrelated injury after that  
25 date.>  
26 4. Title page, line 1, after <program> by inserting  
27 <and including effective date and retroactive  
28 applicability provisions>  
29 5. By renumbering as necessary.

By SHAW of Pocahontas

**H-1383** FILED MARCH 17, 2011

# Fiscal Note

*Fiscal Services Division*



---

**HF 631** – Livestock Production Tax Credit (LSB 2234HV)

Analyst: Jeff Robinson (Phone: 515-281-4614) ([jeff.robinson@legis.state.ia.us](mailto:jeff.robinson@legis.state.ia.us))

Fiscal Note Version – New

---

## **Description**

**House File 631** restores the Livestock Production Tax Credit (Cow-Calf Credit). The credit was repealed by the 2009 General Assembly. A taxpayer must have a federal taxable income of less than \$99,600 for the tax year to qualify for the credit, and the amount of the credit per cow-calf operation cannot exceed \$3,000. The Bill creates a General Fund appropriation standing limited appropriation of \$2.0 million per year to fund the tax credit beginning in FY 2012.

The Bill is effective beginning tax year 2012.

## **Assumptions**

- When previously available, the Livestock Production Tax Credit consumed the allotted \$2.0 million each year, so it is assumed it will do so again if restored.
- Due to the timing of the credit application and payment process, tax year 2012 claims are not paid until FY 2014; therefore, a General Fund appropriation is not necessary until FY 2014.

## **Fiscal Impact**

Restoring the Livestock Production Tax Credit beginning tax year 2012 will require an annual \$2.0 million General Fund standing limited appropriation, beginning FY 2014.

## **Source**

Department of Revenue

---

/s/ Holly M. Lyons

March 17, 2011

---

The fiscal note for this bill was prepared pursuant to [Joint Rule 17](#) and the correctional and minority impact statements were prepared pursuant to Code [Section 2.56](#). Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.

---

# Fiscal Note

*Fiscal Services Division*



---

**HF 589** – Animal or Crop Facility Trespass Provisions (LSB 2093HV)

Analyst: Beth Lenstra (Phone: 515-281-6301) ([beth.lenstra@legis.state.ia.us](mailto:beth.lenstra@legis.state.ia.us))

Fiscal Note Version – New

Requested by Representative Patrick Murphy

---

## **Description**

**House File 589** expands the definitions relating to agricultural production, and imposes a range of criminal penalties for animal facility tampering, animal facility interference and fraud, crop operation tampering, and crop interference and fraud. The Bill imposes criminal penalties ranging from a simple misdemeanor to a Class C felony. The Bill also increases the amount of damages that may be recovered in certain civil actions.

## **Background**

### **Correctional and Fiscal Information**

- Current law provides for civil actions and criminal penalties ranging from a simple misdemeanor to a Class C felony for offenses related to agricultural production.
- There were no convictions for offenses relating to agricultural production in FY 2010.

### **Minority Data Information**

- The U.S. Census estimate for Iowa was 3.0 million people as of July 1, 2009 (the most current estimates available). Men comprise 49.3% of the population. Approximately 92.7% of Iowa's population is white. The composition of the remaining 7.3% is: 2.5% black, 0.3% American Indian or Alaska Native; 1.7% Asian; and 2.9% is of two or more races or unknown.
- Iowa's prison population was 8,603 offenders on June 30, 2010. Men comprised 91.8% of the population. According to the Criminal and Juvenile Justice Planning Division (CJJPD) of the Department of Human Rights, the racial composition of the prison system was: 71.7% white; 25.5% black; 1.0% Asian or Pacific Islander; and 1.8% American Indian or Alaska Native. Included in these racial groups were 6.8% that identified themselves as Hispanic (nearly all of these identified themselves racially as being white).

## **Assumptions**

### **Correctional and Fiscal Information**

The Bill expands the definitions of certain crimes that may increase the number of criminal convictions.

### **Minority Data Information**

Approximately 14.8% of Iowa's population has at least one disability. The number of disabled offenders convicted under this Bill may be 14.8%.

## **Summary of Impacts**

### **Correctional Impact**

To the extent the Bill's provisions result in additional criminal convictions, there will be an impact on county jail operations, and the State corrections system, including the prison system,

probation, parole, and residential facilities. This will further exacerbate an already crowded system.

### **Minority Impact**

The Bill is not expected to have a significant impact on minorities.

### **Fiscal Impact**

The fiscal impact cannot be determined because the number of court actions and convictions that will occur as a result of the changes in this Bill cannot be predicted. As noted in the background section, there were no convictions for offenses relating to agricultural production in FY 2010 under current law. The cost to the State General Fund may be significant if the Bill results in additional convictions under the Criminal Code.

Examples of the range of average State costs for the penalties available under the Bill include:

- \$27 (court costs) to \$327 (court costs and indigent defense) for one simple misdemeanor conviction.
- \$201 (court costs) to \$5,300 (court costs including a jury, indigent defense, prison, and parole) for one serious misdemeanor conviction.
- \$2,100 (court costs and probation) to \$6,700 (court costs with a jury, prison, parole, and indigent defense) for one aggravated misdemeanor.
- \$4,750 (court costs, indigent defense, and probation) to \$12,300 (court costs with a jury, indigent defense, prison, and parole) for one Class D felony conviction.
- \$5,700 (court costs, probation and indigent defense) to \$18,800 (court costs with a jury, prison, parole, and indigent defense) for one Class C felony conviction.

NOTE: In the examples above, for convictions resulting in prison, parole, or probation, the costs will be incurred across multiple fiscal years while the offender is supervised in the correctional system, either in prison or the community.

To the extent sentences to county jails increase under this Bill, there will be an impact on county budgets. However, that impact cannot be estimated due to a lack of data.

### **Sources**

Department of Human Rights, Criminal and Juvenile Justice Planning Division  
Department of Corrections  
Office of the State Public Defender  
Judicial Branch

/s/ Holly M. Lyons

March 17, 2011

---

The fiscal note for this bill was prepared pursuant to [Joint Rule 17](#) and the correctional and minority impact statements were prepared pursuant to Code [Section 2.56](#). Data used in developing this fiscal note, including correctional and minority impact information, is available from the Fiscal Services Division of the Legislative Services Agency upon request.

---

## Fiscal Note

*Fiscal Services Division*



---

**HF 618** – Electrician's Licensing Repeal (LSB 1255HV)

Analyst: Jennifer Acton (Phone: 515-281-7846) ([jennifer.acton@legis.state.ia.us](mailto:jennifer.acton@legis.state.ia.us))

Fiscal Note Version – New

---

### **Description**

**House File 618** eliminates electrical installation inspections on farms and makes some technical corrections to the fire extinguishing and alarm system contractors and installers program.

### **Background**

House File 897 (Electrician Licensure Act) created statewide licensure and certification of electricians and installers, established provisions regarding electrical inspections, and specified related licensing and inspection fees. The Bill created an 11-member Electrical Examining Board within the Fire Marshal's Office. The Bill also created an Electrician and Installer Licensing and Inspection Fund where all licensing, registration, examination, inspection, and renewal fees are deposited and made available to the Board, in consultation with the Fire Marshal's Office, and the balance does not revert to the General Fund.

The current Electrician Program generates approximately \$3.7 million of revenue annually and funds 28.0 FTE positions. There are currently 16 electrical inspectors and four electrical inspector supervisors. Under current law, an inspection must be made within three business days of the request for an inspection. The Program is averaging 1,460 new permits a month and 1,870 new inspections a month.

### **Assumptions**

- Licenses are renewed on a three-year rotation and are budgeted at approximately \$2.1 million every three years. Licensing revenue will remain the same.
- Permitting and inspection revenue is budgeted at approximately \$1.9 million annually. Permitting and inspection revenue will be reduced by approximately 50.0%.

### **Fiscal Impact**

There is no impact to the State General Fund.

**House File 618** will result in the reduction of approximately \$963,000 in permitting and inspection revenue annually to the Electrician and Installer Licensing and Inspection Fund beginning in FY 2012. The Board will offset the reduction in revenue by eliminating eight inspectors and two electrical inspector supervisors.

### **Source:**

Department of Public Safety

---

/s/ Holly M. Lyons

March 17, 2011

---

The fiscal note for this bill was prepared pursuant to **Joint Rule 17** and the correctional and minority impact statements were prepared pursuant to Code **Section 2.56**. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.

---